

REMARKS

Reconsideration and allowance of the claims pending in the application are requested.

Claims 1-42 are pending in the application, as follows:

1. Claims 19-31, 40 and 41 are allowed.
2. Claims 1, 11, 33 and 36-39 have been objected to for minor informalities.
3. Claims 5-18, 32 and 42 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 32 and 42 are rejected under 35 USC 102(e) as being anticipated by US 6,853,294, issued February 8, 2005, filed July 26, 2000 to Ramamurthy et al. ("Ramamurthy").
5. Claims 5-18, 32 and 42 would be allowable if rewritten or amended to overcome the rejection(s) under 35 USC 112, 2nd paragraph, set forth in this Final Office Action.

Applicants respond to the indicated paragraphs of the Office Action, as follows:

Paragraph 1:

The Examiner's comments are noted. No response to the comments is believed necessary

Paragraph 2:

Claims 1, 11, 33 and 36-39 have been amended to overcome the informalities by replacing the terms "capable of" with "configured for", which is well-known as a positive limitation. Withdrawal of the objection to claims 1, 11, 33 and 36-39 is requested.

Paragraph 3:

Applicants' note a rejection of claims 32 and 42 has not been stated in Paragraph 3.

Claims 5-18 have been amended to further point out and distinctly claim the described subject matter and overcome the rejection. Withdrawal of the rejection under 35 USC 12, second paragraph and allowance of claims 5-18, are requested.

Paragraph 4:

Claim 32 has been amended to delete the alleged indefinite term “may include”, and satisfies the requirements of MPEP 2173.05(d).

Paragraph 5:

Claims 32 and 42 have been rejected under 35 USC 102 (e) as anticipated by Ramamurthy, of record. Applicants disagree. There is no disclosure in Ramamurthy of an indication in the data format indicating the location for processing the data at a reader device or an alternate external destination for processing, as described in the specification at page 17, line 1 – 19. Ramamurthy transfer the contents of tag to an address by reading the tag and if the address is unknown by default to a generic processor. The Ramamurthy tag does not include an alternate address for the generic processor.

Claims 32 and 42 include the same alternate processing feature of claim 1 and is patentable over the cited art on the same basis as claim 1.

The Examiner has also indicated in Paragraph 7 that claims 32 and 42 are allowable if rewritten or amended to overcome the 112 rejections. Claims 32 and 42 have been amended to over come the rejections, as discussed in the consideration of Paragraphs 3 and 4.

Allowance of claims 32 and 42 are requested.

Paragraph 6/7:

Applicants have amended 5, 32 and 42 to overcome the 112 second Paragraph rejections.

Claims 1 42 are believed allowable.

CONCLUSION:

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection; entry of the amendment; allowance of claims 1-42 and passage to issue of the application.

AUTHORIZATION:

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4134.


In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4134.

Respectfully submitted,

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By:



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